

Message Text

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C O N F I D E N T I A L STATE 160126

E.O. 11652: GDS

TAGS: EAID, JO, US, IS

SUBJECT: MAQARIN DAM--DRAFT WORKING PAPER

REF: AMMAN 3097

1. WE CONCUR WITH AMMAN'S VIEW (REFTEL) THAT WE HAVE
ARRIVED AT A POINT IN OUR GOOD OFFICES EFFORT WHERE WE
SHOULD TRY TO RECORD FOR THE JORDANIANS AND ISRAELIS OUR
OWN UNDERSTANDINGS RE THEIR COMMON VIEWS ON ISSUES ASSOCI-
ATED WITH THE MAQARIN DAM PROJECT. WE FURTHER CONCUR THAT
THE MOST SUITABLE VEHICLE FOR THIS PURPOSE WOULD BE AN
INFORMAL DOCUMENT PREPARED BY THE USG FOR SUBMISSION TO
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BOTH PARTIES. (IN INTEREST OF ENHANCING ITS INFORMAL
CHARACTER AND MINIMIZING POSSIBILITY OF ITS BEING CONSTRUED
AS HAVING ANY STATUS AS AN INTERNATIONALLY BINDING INSTRU-
MENT, WE PREFER TO STYLE SUCH A DOCUMENT AS A DRAFT
QTE WORKING PAPER UNQTE, RATHER THAN QTE MEMORANDUM UNQTE
AS SUGGESTED REFTEL.)

2. TEXT OF THIS DRAFT WORKING PAPER, BASED ON MODEL FURNISHED IN REFTEL AND REFINED BY STATE/AID, APPEARS IN PARA 3 BELOW. OUR IDEA IS FOR AMBASSADOR PICKERING TO PRESENT IT TO THE JORDANIANS INITIALLY AND REPORT THEIR REACTION. ONCE THE GOJ HAS INDICATED A WILLINGNESS TO

ACCEPT ITS TERMS, WE WOULD THEN INSTRUCT EMBASSY TEL AVIV TO PRESENT IT TO THE ISRAELIS. ASSUMING THAT THE ISRAELIS ALSO INDICATE THEIR WILLINGNESS TO ACCEPT ITS TERMS, WE WOULD THEN BE PREPARED TO SUBMIT THE WORKING PAPER TO BOTH PARTIES UNDER COVER OF SEPARATE LETTERS FROM EMBASSIES AMMAN AND TEL AVIV. WE WOULD SEEK ONLY SIMPLE RETURN-LETTERS FROM GOJ AND GOI ACKNOWLEDGING ITS RECEIPT AS EVIDENCE THAT THEY AGREE WITH ITS CONTENTS.

3. TEXT OF DRAFT WORKING PAPER IS AS FOLLOWS:
BEGIN TEXT:

(HEADING) DRAFT WORKING PAPER

(BODY OF TEXT) THE UNITED STATES HAS OFFERED ITS GOOD OFFICES TO ISRAEL AND JORDAN IN RESPECT TO THE WATER ALLOCATION IMPLICATIONS OF THE PROPOSED MAQARIN DAM-YARMOUK RIVER PROJECT.

THE UNITED STATES UNDERSTANDS THAT ISRAEL AND JORDAN HAVE
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ACCEPTED THE FOLLOWING:

(A) WATER FOR THE YARMOUK (ADASIYE) TRIANGLE --
THE PRINCIPLE OF THE CONTRIBUTION OF YARMOUK RIVER WATER TO THE TRIANGLE SHOULD BE RESPECTED AND STRUCTURES FOR WATER STORAGE AND CONVEYANCE IN CONNECTION WITH THE CURRENT PROJECT SHOULD PROVIDE FOR THIS CONTRIBUTION. SPECIFICALLY, 25 MILLION CUBIC METERS (MCM) WILL BE AVAILABLE FROM THE YARMOUK RIVER TO THE TRIANGLE. AFTER THE CONSTRUCTION OF THE MAQARIN DAM, RELEASES FROM THE DAM ITSELF WILL MAKE POSSIBLE THE PROVISION OF 25 MCM TO THE TRIANGLE, INCLUDING THE 2.3 CUBIC METERS PER SECOND (CMS) FOR USE DURING THE APPROXIMATE FOUR MONTHS OF THE DRY, LOW-FLOW PERIOD. DURING PERIODS OF DROUGHT (WHEN WATER AVAILABLE FOR RELEASE FALLS BELOW THE AMOUNT REQUIRED AT THE DIVERSION WEIR (SEE (B) BELOW) TO MEET THE ALLOCATION OF THE TRIANGLE AND NEEDS OF EAST GHOR MAIN CANAL), THE WATER DEFICIT WILL BE SHARED IN PROPORTION TO THE AMOUNT OF LAND BEING IRRIGATED IN THE YARMOUK TRIANGLE AND THE AMOUNT OF LAND BEING IRRIGATED IN THE AREAS SERVED BY THE EAST GHOR MAIN CANAL. FLOWS PASSING THE DIVERSION WEIR AND NOT ALLOCATED TO THE TRIANGLE (RESIDUAL FLOWS) ARE TO BE

AVAILABLE FOR DOWNSTREAM USE. THE USE OF SUCH RESIDUAL FLOWS WILL NOT BE THE BASIS FOR A FUTURE CLAIM FOR THE ALLOCATION OF SUCH WATER.

(B) DIVERSION WEIR AT ADASIYE-EAST GHOR MAIN CANAL INTAKE--A WEIR WILL BE CONSTRUCTED IN THE VICINITY OF THE EAST GHOR MAIN CANAL INTAKE ON THE YARMOUK RIVER TO

PROVIDE FOR THE CONTROL AND REGULATION OF WATER INTO THE CANAL AND INTO THE YARMOUK TRIANGLE. JORDAN WILL BUILD THE WEIR AT ITS EXPENSE WITHOUT HINDRANCE AND WITH ACCESS PERMITTED TO BOTH BANKS OF THE YARMOUK AS NECESSARY FOR CONSTRUCTION. ISRAEL WILL REVIEW THE ENGINEERING DESIGNS FOR THE WEIR AND THE CONSTRUCTION AND OPERATIONAL PLANS
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FOR THE REGULATION AND FLOW OF YARMOUK WATERS (PREPARED ON THE BASIS OF THE PRINCIPLES SET FORTH IN PARA (A) ABOVE). THE UNITED STATES WILL CONTINUE TO PROVIDE GOOD OFFICES TO ISRAEL AND JORDAN IN THIS REGARD.

(C) THE WEST BANK--THE UNITED STATES UNDERSTANDS THAT JORDAN AND ISRAEL AGREE THAT THE WEST BANK HAS NEEDS FOR THE PROVISION OF WATER FROM THE JORDAN RIVER AND ITS TRIBUTARIES AND THAT THE WEST BANK IS ENTITLED TO A REASONABLE AND EQUITABLE SHARE IN THE BENEFICIAL USE OF JORDAN RIVER BASIN WATERS. JORDAN AND ISRAEL ALSO ACCEPT THE NEED TO REVIEW WEST BANK (WEST GHOR) AGRICULTURAL DEVELOPMENT POTENTIAL, WATER NEEDS AND REQUIREMENTS FOR THE FUTURE, RESOURCES AVAILABLE TO PROVIDE THOSE REQUIREMENTS, AND THE POSSIBLE MEANS OF CONVEYANCE, TAKING INTO ACCOUNT THE FACT THAT BOTH ACCEPT THE PRINCIPLE OF MAKING THE MOST EFFECTIVE AND FULLEST UTILIZATION OF TOTAL WATER RESOURCES. JORDAN WILL CONTRACT FOR SUCH A STUDY AND PROVIDE TO ISRAEL THE SCOPE OF WORK FOR REVIEW AS WELL AS THE RESULTS OF THE STUDY. JORDAN WILL EXPLORE FURTHER THE AVAILABILITY OF GROUND WATER RESOURCES IN THE EAST GHOR AREA IN ORDER TO DETERMINE HOW THESE RESOURCES CAN BE CHANNLED TO MOST EFFECTIVE USE.

(D) ADDITIONAL CONSIDERATIONS--QUESTIONS OF ECOLOGICAL AND ENVIRONMENTAL CONSIDERATIONS, OF WATER QUALITY, AND THE PALESTINE ELECTRIC POWER CORPORATION CONCESSION, AS THESE MAY BE AFFECTED BY THE PROJECT, WERE DISCUSSED. WITH REGARD TO ECOLOGY AND ENVIRONMENT, THE UNITED STATES ADVISED ISRAEL AND JORDAN THAT IT WOULD HAVE TO REVIEW THE IMPACT OF THE PROJECT--INCLUDING SUCH ENVIRONMENTAL QUESTIONS AS THE EFFECT OF THE PROJECT ON THE JORDAN RIVER AND THE DEAD SEA--IN CONNECTION WITH ITS OWN FUTURE
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DECISION AS TO WHETHER IT MIGHT ASSIST, ALONG WITH OTHER DONORS, IN FINANCING THE ACTUAL CONSTRUCTION OF THE MAQARIN DAM. BOTH JORDAN AND ISRAEL WILL COOPERATE IN THIS REVIEW AND PROVIDE NECESSARY DATA. THE WATER QUALITY QUESTION WAS REVIEWED AND IT WAS CONCLUDED THAT THE PROJECT WOULD NOT ADVERSELY CHANGE THE QUALITY OF WATER AVAILABLE TO DOWNSTREAM USERS. ISRAEL AND JORDAN DO NOT CONSIDER THE ISSUE OF THE PALESTINE ELECTRIC POWER CORPORATION CON-CESSION AN IMPEDIMENT TO PROCEEDING WITH THE MAQARIN DAM AND ARE PREPARED TO CONSIDER ITS RESOLUTION AT AN APPROPRIATE POINT IN THE FUTURE. END TEXT. VANCE

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